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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,427	01/14/2004	Xiaohong N. Duan	10541-1829	5655
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BRINKS HOFER GILSON & LIONE/CHICAGO/COOK			BONCK, RODNEY H	
PO BOX 10395 CHICAGO, IL 60610		ART UNIT	PAPER NUMBER	
,			3681	
			DATE MAIL FD: 03/16/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application No. Applicant(s)		\					
Examiner Rodney H. Bonck	\	Application No.	Applicant(s)				
Examiner Rodney H. Bonck	\mathcal{J}	10/758.427	DUAN ET AL				
Rodney H. Bonck 3681	Office Action Summary						
- The MALIAND DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensive of time may be entitled used the province of 37 CFR 1.13(a). In ne event, however, may a reply be timely filled If the period for reply specified above is less ban birty (30) days, a reply within the statisticy minimum of timic (30) days, a reply within the statisticy minimum of this (30) MONTHS from the railing date of this communication of the period of reply is specified above; in each and tautory period will pay and will each specific (MONTHS from the railing date of this communication. If the period for reply specified above is less ban birty (30) days, a reply within the statisticy minimum of this (30) MONTHS from the railing date of this communication. If the period for reply is specified above is less than birty (30) days, a reply within the statisticy minimum of the railing date of this communication. If the period for reply specified above is less than birty (30) days, a reply within the statistic manner of the railing date of this communication. If the period for reply specified above is less than birty (30) days and will reply and will reply and will reply and the railing date of this communication. If the period for reply specified to communication (s) filled on 14 January 2004. 2a) This action is FINAL. 2b) This action is final. 2c) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the proving manner. 4) Claim(s) 1-2 is/are pending in the application. 4) Claim(s) 1-2 is/are allowed. 5) Claim(s) 1-2 is/are allowed. 6) Claim(s) 1-2 is/are allowed. 6) Claim(s) 1-2 is/are rejected. 7) Claim(s) 1-2 is/are objected to by the Examiner. 10) The daving(s) filed on 1-1 is/are: a) accep	` \						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exemines of team mybe available under the previous of 37 CFR 1.36(a). In an event, however, may a reply be timely filled Exemines of team mybe available under the previous of 37 CFR 1.36(a). In an event, however, may a reply be timely filled If the period for reply specified above is less than thirty (30) days, a reply within the statulary priod will underly priod will underly folly MONTH'S form the mailing date of this communication. Fallure to reply within the set or extended patient for early will, by statulary, period will apply and will reply as (50) MONTH'S form the mailing date of this communication. Fallure to reply within the set or extended patient for early will, by statulary, period will apply and will reply as (50) MONTH'S form the mailing date of this communication. Fallure to reply within the set or extended patient for a flut and a reply and will reply as the mailing date of this communication. Fallure to reply within the set or extended previous mybrotion of the communication of the communication. 1) Responsive to communication(s) filled on 14 January 2004. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-9 is/are pending in the application. 4) Claim(s) 1-9 is/are allowed. 6) Claim(s) 1-9 is/are allowed. 7) Claim(s) 1-9 is/are allowed. 8) Claim(s) 1-9 are subject to restriction and/or election requirement. Applicant on Papers 9) The production of the production of the drawing(s) be held in absyance. See 37 CFR 1.85(a). Replacement drawing sheel(s) induding the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office	The MAILING DATE of this communication appears on the cover sheet with the correspondence address						
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Application/Control Number: 10/758,427

Art Unit: 3681

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct

species of the claimed invention:

Species I: Fig. 1;

Species II: Fig. 4;

Species III: Fig. 5;

Species IV: Fig. 6A;

Species V: Fig. 6C; and,

Species VI: Fig. 7A.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for

prosecution on the merits to which the claims shall be restricted if no generic claim is

finally held to be allowable. Currently, claim 1 is considered to be generic.

Applicant is advised that a reply to this requirement must include an identification

of the species that is elected consonant with this requirement, and a listing of all claims

readable thereon, including any claims subsequently added. An argument that a claim

is allowable or that all claims are generic is considered nonresponsive unless

accompanied by an election.

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Application/Control Number: 10/758,427

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (703)-308-2904. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (703)-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney H. Bonck Primary Examiner Art Unit 3681

rhb March 9, 2005